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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

STATE OF NEVADA, <i>et al.</i> ,)	Case No. 3:15-cv-00491-MMD-VPC
)	
Plaintiffs,)	
)	DECLARATION OF THOMAS MYERS
vs.)	IN SUPPORT OF THE WILDERNESS
)	SOCIETY, ET AL.'S MOTION TO
UNITED STATES DEPARTMENT))	INTERVENE
OF THE INTERIOR, <i>et al.</i> ,)	
)	
Defendants, and)	
THE WILDERNESS SOCIETY, <i>et</i>))	
<i>al.</i> ,)	
)	
Applicants in Intervention/)	
Defendants)	

1 I, Thomas Myers, make this declaration based upon my personal knowledge
2 and belief and state:

3 1. I reside in Reno, Nevada. I am 57 years old and competent to testify.

4 2. I am a member of Earthworks, an applicant for intervention in this case. I
5 am a professional hydrologist and hold a PhD in Hydrology/Hydrogeology. From
6 1998 to 2004 I was the Executive Director of Great Basin Mine Watch, a Reno-based
7 nonprofit conservation organization working to protect wildlife, lands, and other
8 environmental resources in Nevada and the Great Basin from the adverse effects of
9 hardrock mining activities.

10 3. Earthworks is a nonprofit, 501(c)(3) conservation organization dedicated to
11 protecting communities and the environment from the adverse impacts of mineral
12 and energy development while promoting sustainable solutions. Earthworks fulfills
13 its mission by working with communities and grassroots groups to reform
14 government policies, improve corporate practices, influence investment decisions,
15 and encourage responsible materials sourcing and consumption. Earthworks
16 partners with local affected communities and national and international advocates
17 to respond to and solve the growing threats to the earth's natural resources, clean
18 water, biodiversity, special places, and communities from irresponsible mining,
19 drilling, and digging. Earthworks was created in 2005, when two organizations (the
20 Mineral Policy Center and the Oil & Gas Accountability Project) joined forces.
21 Earthworks has its main office in Washington D.C.; as well as offices in Missoula,
22 Montana and Durango, Colorado.

23 4. Earthworks is the nation's leading conservation organization working on
24 hardrock mining issues in the West. Earthworks regularly participates in federal
25 agency permitting and review of proposed hardrock mining operations (i.e., gold,
26 silver copper, molybdenum, uranium, and other minerals subject to location under
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1 the 1872 Mining Law). Earthworks has been a plaintiff in numerous federal court
2 cases and administrative appeals challenging BLM and Forest Service approvals of
3 hardrock mining in Nevada, Idaho, Montana, and other western states, as well as
4 national litigation dealing with the federal government's regulation of hardrock
5 mining operations on public land in the West.

6 5. Through these efforts, Earthworks seeks to protect public environmental
7 resources, including important wildlife habitat for imperiled species such as the
8 Greater Sage Grouse, from the adverse impacts from hardrock mining.

9 6. Members of Earthworks use, enjoy, and value many of the lands that are
10 subject to the challenged Bureau of Land Management (BLM) and Forest Service
11 (USFS) actions in this case. These lands include BLM and USFS lands subject to
12 the September 21, 2015 Record of Decision and Approved Resource Management
13 Plan Amendments for the Great Basin Region, including the Greater Sage-Grouse
14 Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern
15 California, Oregon, and Utah ("BLM ROD"), and the September 16, 2015 Greater
16 Sage-grouse Record of Decision for Idaho and Southwest Montana, Nevada, and
17 Utah issued by the U.S. Forest Service ("USFS ROD") (collectively with the BLM
18 ROD, the "NVLMP").

19 7. These lands also include the lands subject to the Interior Department's
20 Notice of Proposed Withdrawal; Sagebrush Focal Areas; Idaho, Montana, Nevada,
21 Oregon, Utah, and Wyoming and Notice of Intent To Prepare an Environmental
22 Impact Statement, 80 Fed. Reg. 57635-57637, Sept. 24, 2015 ("Segregation and
23 Proposed Withdrawal").

24 8. Earthworks is particularly focused on the Segregation and Proposed
25 Withdrawal challenged by Plaintiffs in this case. The subject Federal Register
26 notice initiated a public comment process with a current deadline for comments of
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1 December 23, 2015. Earthworks fully intends on submitting extensive comments on
2 the Segregation and Proposed Withdrawal by that deadline. Earthworks has
3 already begun coordinating these comments with other conservation and wildlife
4 protection groups across the West to ensure that the final decision from the Interior
5 Department protects the Greater Sage Grouse and its habitat to the maximum
6 extent allowed by federal law.

7 9. Regarding the lands covered by the NVLMP and the Segregation and
8 Proposed Withdrawal, members of Earthworks hike, view and photograph wild
9 plant and animal life including the Greater Sage Grouse and its habitat, and
10 generally enjoy using the area of these lands for recreational, historical,
11 conservation, and aesthetic purposes. Members of Earthworks intend on continuing
12 to use and value the lands at, and affected by, the NVLMP and the Segregation and
13 Proposed Withdrawal during 2015 and in future years.

14 10. These uses will be immediately, irreparably, and significantly harmed by
15 mining and other extractive and commercial uses of these lands if they are
16 permitted within these areas without the additional protections afforded the
17 Greater Sage Grouse and its habitat by the BLM/USFS actions challenged by
18 Plaintiffs in this case .

19 11. I personally use and enjoy some of the lands covered by the NVLMP and the
20 Segregation and Proposed Withdrawal. Specifically, I have been in the areas all
21 around the Sheldon Antelope Range and in areas adjoining the Rough Hills and
22 Massacre Rim wilderness study areas. During these visits, I hike, sightsee, watch
23 wildlife, view historic sites, enjoy the solitude and views, and otherwise use and
24 enjoy the public lands in these areas. I intend on returning to these lands in the
25 summer of 2016 to continue my use and appreciation of the natural environment
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1 and wildlife habitat subject to the increased protections implemented by the
2 NVLMP and the Segregation and Proposed Withdrawal.

3 12. My recreation, aesthetic, conservation, spiritual and other interests and
4 experiences will be severely and adversely affected if the public land and habitat
5 protections implemented in the NVLMP and the Segregation and Proposed
6 Withdrawal are precluded or vacated if Plaintiffs are successful in this case.

7 13. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the
8 foregoing is true and correct.

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10 Executed this 10th day of November, 2015, at Reno, Nevada.

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12 Thomas Myers
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